

September 23, 2015

Officer Geoff Graves #4101
201 W. Mission Street
San Jose, CA 95110

Re: Notice of Discipline

Dear Officer Graves:

On September 10, 2014 you were served a Notice of Intended Discipline which advised you of your right to request a pre-disciplinary Skelly conference within seven (7) calendar days of service of the Notice of Intended Discipline to provide you with the opportunity to respond and provide relevant information regarding the alleged misconduct and intended discipline. You did not request a Skelly conference, and therefore no such conference occurred.

Pursuant to the authority delegated to me by the City Manager, this letter is to notify you that you will be dismissed from your position of Police Officer in the San Jose Police Department effective September 24, 2015.

This disciplinary action is based upon the following:

1. On or about September 22, 2013, while on-duty, you sexually assaulted a female at a local hotel after you came into contact with her during a family disturbance call.

This conduct is cause for discipline pursuant to San Jose Municipal Code Section 3.04.1370:

(B) Misconduct

(E) Failure to Observe Applicable Rules and Regulations

(V) Any other act, either during or outside of duty hours which is detrimental to public service

Your conduct is in violation of San Jose City Policy Manual Section 1.2.1 Code of Ethics, and San Jose Police Department Duty Manual sections C 1302 Law Enforcement Code of Ethics and C 1404 Conduct Unbecoming an Officer.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Information supporting the charges above is contained in the Notice of Intended Discipline (NOID) dated September 10, 2015, and is incorporated herein by reference.

In addition to considering the significance of the acts noted above, I have also reviewed your personnel history and noted that you have been employed with the City since approximately January 6, 2008. I have also noted the following:

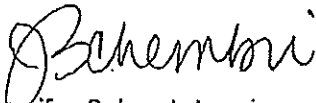
[REDACTED]

[REDACTED]

Pursuant to San Jose Municipal Code Section 3.04.1390, you may appeal this matter to the Civil Service Commission by filing a written request for a hearing with the Clerk of the Commission no later than **twenty (20) calendar days** after this notice is served to you or no later than **twenty (20) calendar days** from the date shown on the affidavit attached to this notice if service is by mail. **IF YOU WISH TO FILE SUCH AN APPEAL, IT IS YOUR RESPONSIBILITY TO MAKE SURE THE WRITTEN REQUEST FOR A HEARING IS FILED WITHIN THESE TIME LIMITS.**

Alternatively you may, with the agreement of the San Jose Police Officers' Association (POA), appeal this action through the grievance procedure pursuant to Article 25.8 of the Memorandum of Agreement (MOA) between the City of San Jose and the POA. Such appeal must comply with the procedures, including time limits, specified in the MOA.

Sincerely,



Jennifer Schembri
Director of Employee Relations

c: Chief of Police
Personnel File
Civil Service Commission